

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:10CR3085
	)	
v.	)	
	)	MEMORANDUM AND ORDER
JESSE ANTILLON,	)	
	)	
Defendant.	)	

Defendant Jesse Antillon's trial was previously set to commence on April 11, 2011, but was removed from the trial docket when the defendant requested a change of plea hearing. The change of plea hearing was initially scheduled for April 6, 2011, then continued to May 6, 2011, May 25, 2011, and June 8, 2011. During a telephone conference today, defense counsel stated he needs additional time to discuss the proposed plea agreement with his client and determine if his client is willing to accept the government's proposal.

This case was taken off the trial calendar at the defendant's request but before the defendant was prepared to enter, or certain of his intent to enter, a plea of guilty. The case will now be set on the trial calendar. The time to trial will be excluded inasmuch as the parties have been preparing for a change of plea hearing and not a trial, and the communications with this court regarding the defendant's decision to enter a plea have disrupted the normal scheduling practices of the court.

The parties are notified and reminded that the undersigned magistrate judge will not again set a plea hearing for this case without first receiving a fully executed petition to enter a plea of guilty.

Accordingly,

IT IS ORDERED:

- 1) The defendant's change of plea hearing, previously set for June 8, 2011 is cancelled.
- 2) Trial is set to begin at 9:00 a.m. on July 11, 2011 for a duration of four trial days before Judge Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be at the commencement of trial.
- 3) The time between today's date and the date of trial is excluded in the interests of justice from computation under the Speedy Trial Act. 18 U.S.C. § 3161.

DATED this 7th day of June, 2011.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge